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1859-1951

03-30-00
FISH & RICHARDSON P.C., P.A.

March 29, 2000

Attorney Docket No.: 07039-129001

Box CPA

Assistant Commissioner for Patents
Washington, DC 20231

This paper is a request for a continuation under 37 CFR 1.53(d) of:

Applicant: JENS PONIKAU

Title: METHODS AND MATERIALS FOR TREATING AND PREVENTING
INFLAMMATION OF MUCOSAL TISSUE

Prior U.S. application no: 09/177,273

Filing Date: October 22, 1998

The prior application was complete as defined by 37 CFR 1.51(b), or was a national stage of an international application filed in compliance with 35 USC §371.

This request for a CPA is the reference to the prior application noted above as required by 35 USC §120. Kindly abandon the prior application in favor of the continued proceedings that are requested herein.

This request includes 2 sheets.

Enclosures:

Preliminary Amendment (1 page)
Copy of Small entity statement from the previous application
Petition for Three Month Extension of Time (1 page)
Postcard.

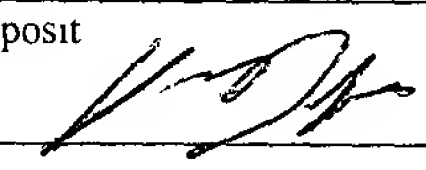
The entire disclosure of the prior application is part of this application and is incorporated by reference.

CERTIFICATE OF MAILING BY EXPRESS MAIL

Express Mail Label No EL291415990US

I hereby certify under 37 CFR §1.10 that this correspondence is being deposited with the United States Postal Service as Express Mail Post Office to Addressee with sufficient postage on the date indicated below and is addressed to the Assistant Commissioner for Patents, Washington, D C 20231

March 29, 2000
Date of Deposit

Signature 

Vince Defante
Typed or Printed Name of Person Signing Certificate

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See paper #12 for

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Assistant Commissioner for Patents

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Basic filing fee	\$345.00
Total claims in excess of 20 times \$9	\$0
Independent claims in excess of 3 times \$39	\$0
Fee for multiple dependent claims	\$0
Total filing fee:	\$345.00

This case is entitled to small entity status. Small entity status in a previous case is still proper (copy of small entity statement from previous case is enclosed). Fees are being paid herein at a small entity rate.

A check for the filing fee is enclosed. Please apply any other required fees or any credits to deposit account 06-1050, referencing the attorney docket number shown above.


If this application is found to be incomplete, or if a telephone conference would otherwise be helpful, please call the undersigned at (612) 335-5070.

Kindly acknowledge receipt of this application by returning the enclosed postcard.

Please send all correspondence to:

MARK S. ELLINGER, PH.D.
Fish & Richardson P.C., P.A.
60 South Sixth Street, Suite 3300
Minneapolis, MN 55402

Respectfully submitted,



J. Patrick Finn III, Ph.D.

Reg. No. 44,109

Enclosures

JXF/atp

60009892.doc

Applicant or Patentee: Jens Ponikau
 Serial or Patent No.: 09/177,273
 Filed or Issued: October 22, 1998
 For: METHODS AND MATERIALS FOR TREATING AND PREVENTING INFLAMMATION OF MUCOSAL TISSUE

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
 (37 CFR 1.9(f) and 1.27(b)) - INDEPENDENT INVENTOR

As a below named inventor, I hereby declare that I qualify as an independent inventor as defined in 37 CFR 1.9(c) for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, to the Patent and Trademark Office with regard to the invention entitled METHODS AND MATERIALS FOR TREATING AND PREVENTING INFLAMMATION OF MUCOSAL TISSUE described in

- ☐ the specification filed herewith.
☒ application serial no. 09/177,273, filed October 22, 1998.
☐ patent no., issued.

I have not assigned, granted, conveyed or licensed and am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who could not be classified as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

- ☒ no such person, concern, or organization.
☐ persons, concerns or organizations listed below*.

*NOTE: Separate verified statements are required from each named person, concern, or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

Full Name: _____

Address: _____

☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status when any new rule 53 application is filed or prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Inventor: Jens Ponikau

Signature: _____

Date: _____

01/11/99